IFW

AMSTER
ROTHSTEIN
& EBENSTEIN LLP
Intellectual Property Law
90 Park Avenue
New York NY 10016
Main 212 336 8000
Fax 212 336 8001
Web www.arelaw.com

Authers
Morton Amster
Jesse Rothstein (1934 - 2003)
Daniel Ebenstein
Philip H. Gottfried
Michael J. Berger
Neil M. Zipkin
Anthony F. Lo Cicero
Kenneth P. George
Abraham Kasdan, Ph.D.
Ira E. Silfin
Chester Rothstein
Craig J. Arnold
Kenneth M. Bernstein

Senior Counsel Charles R. Macedo Mark J. Rosenberg Nancy M. Dodderidge

Of Counsel Jerry D. Dainow

Associates
Neal L. Rosenberg
Patrick Boland*
Joseph M. Casino
John S. Economou
Michael V. Solomita

Holly Pekowsky
Michael P. Kenney
Marion P. Metelski
Max Vern
Dana R. Metes
Karl J. Kolbinger
Brian A. Comack
Richard S. Mandaro
Marc J. Jason
Elie H. Gendloff, Ph.D.*
David Mitmick
Charles W. Rath
David A. Boag

Karen J. Bernstein

Matthieu Hausig Jung S. Hahm Reiko Kaji Alan D. Miller, Ph.D. Hsin-Hsin (Ginger) Liu John A. Lepore Norajean McCaffrey Benjamin M. Halpern* Matthew A. Fox

*Not admitted in New York

October 5, 2004

Elie H. Gendloff, Ph.D., Esq. Direct 212 336 8108
E-mail egendlof@arelaw.com

Via Express Mail

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 "Express Mail" mailing label No. | EL 996362913 US |
Date of Deposit: | October 5, 2004 |
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |
Name: | Elie H. Gendloff |
Signature: | Control of Signature: |

Re: U.S. Utility Patent Application Serial No. 10/809,226

Title:

MULTIPLE VIRAL REPLICON CULTURE SYSTEMS

Inventors: Julie Dyall, Charles P. Romano, Paul D. Olivo and

Robert M. Roth

Our File: 3219/7

Sir:

Enclosed please find the following documents for filing in connection with the above-identified application in the names of Julie Dyall, Charles P. Romano, Paul D. Olivo and Robert M. Roth, entitled MULTIPLE VIRAL REPLICON CULTURE SYSTEMS:

- 1. Reply to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures (4 pages) with a copy of the Notice (2 pages) attached thereto as required;
- 2. A written copy of the Sequence Listing for the above-identified application (3 pages); and
- 3. Return receipt postcard.

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

Respectfully submitted,

Amster, Rothstein & Ebenstein LLP Attorneys for Applicants 90 Park Avenue New York, NY 10016 212 336 8000

li My

Dated: New York, New York

October 5, 2004

Elie Gendloff

Registration No. 44,704



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NUMBER FILING OR 371 (c) DATE FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/809,226

03/25/2004

Julie Dvall

3219/7

CONFIRMATION NO. 6542

Elie H. Gendloff, Ph.D., Esq. AMSTER, ROTHSTEIN & EBENSTEIN LLP

90 Park Avenue New York, NY 10016 FORMALITIES LETTER

OC000000013499331

Date Mailed: 08/10/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

• This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

■ For Rules Interpretation, call (703) 308-4216

■ To Purchase Patentin Software, call (703) 306-2600

■ For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

ART 2 - COPY TO BE RETURNED WITH RESPONSE